

### **Remarks**

The Office Action notes that claims 1-5 are pending in the application. The Applicants have amended claims 4 and 5 to correct informalities. No new matter has been added. Claims 1-5 remain pending.

### **Claim Objections**

Claims 4 and 5 stand objected to due to informalities. Applicants have corrected the informalities by changing the dependency of each claim from claim 1 to claim 3. Furthermore, Applicants have corrected the spelling of “identifier.” Accordingly, the claim objections have been obviated.

### **Double Patenting**

Claims 1-5 stand rejected on grounds of nonstatutory obviousness-type double patenting over claims 15-18 of U.S. Patent No. 6,577,849. The Applicants have attached a terminal disclaimer to obviate this rejection.

### **Claim Rejections - 35 USC § 103**

Claims 1-5 stand rejected under 35 USC § 103(a) as being unpatentable over Yavitz (US Patent Pub. 2003/0033385).

The Applicants note that Yavitz was filed on July 25, 2002 as a continuation-in-part of US Patent No. 6,463,469. Subject matter, included in Yavitz, for which there is no support in the parent application, includes paragraphs 0041-0048 and portions of paragraphs 0049 – 0050. Figs. 5 and 6 were also not present in the parent application. Accordingly, this subject matter is not entitled to the 102(e) date of the parent application, but rather has a 102(e) date of July 25, 2002.

In contrast, the present application is a divisional application of US Patent No. 6,577,849, which was filed as a continuation-in-part of US Patent No. 6,167,235, on February 26, 2002. The

claimed subject matter is disclosed in the parent application and is thus entitled to a priority date of July 31, 2000, which predates the portions of Yavitz cited above by almost two years.

The Office Action relies on paragraphs 42, 44, and 48-50 in formulating the rejections to claims 1-5. As demonstrated, however, these portions of Yavitz are only citable as 102(e) prior art with respect to applications filed after July 25, 2002, whereas the instant application has an effective filing date of July 31, 2000. Therefore, the Applicants respectfully request the rejections of claims 1-5 be withdrawn.

Respectfully Submitted

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